

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. 15-4268 JB
)	
vs.)	
)	
EDWARD TROUP,)	
ANTHONY RAY BACA,)	
CARLOS HERRERA, and)	
JOE GALLEGOS,)	
)	
)	
Defendants.)	

**UNITED STATES' UNOPPOSED MOTION FOR AN EXTENSION OF TIME
TO RESPOND TO DEFENDANT CARLOS HERRERA'S MOTION FOR NEW TRIAL
AND NOTICE OF JOINDER (DOC. 2413), DEFENDANTS' GALLEGOS' RULE 29
MOTION FOR JUDGMENT OF ACQUITTAL OR IN THE ALTERNATIVE MOTION
FOR NEW TRIAL WITH REGARD TO COUNTS FOUR AND FIVE (DOC. 2415),
DEFENDANT JOE GALLEGOS'S RULE 29 MOTION FOR JUDGMENT OF
ACQUITTAL OR IN THE ALTERNATIVE MOTION FOR NEW TRIAL ON COUNT
1(DOC. 2419), DEFENDANT EDWARD TROUP'S MOTION FOR NEW TRIAL (DOC.
2420), AND DEFENDANT ANTHONY RAY BACA'S MOTION FOR NEW TRIAL AND
NOTICE OF JOINDER (DOC. 2421)**

The United States of America moves this Court under D.N.M.LR-Cr. 47.8(a) for an extension of time in which to file its responses to Defendant Carlos Herrera's Motion for New Trial and Notice of Joinder (Doc. 2413), Defendants' Gallegos' Rule 29 Motion for Judgment of Acquittal or in the Alternative Motion for New Trial with Regard to Counts Four and Five (Doc. 2415), Defendant Joe Gallegos's Rule 29 Motion for Judgment of Acquittal or in the Alternative Motion for New Trial on Count 1(Doc. 2419), Defendant Edward Troup's Motion for New Trial (Doc. 2420), and Defendant Anthony Ray Baca's Motion for New Trial and Notice of Joinder (Doc. 2421).

1. On October 9, 2018, Defendant Daniel Sanchez filed a Motion for Judgment of Acquittal (FRCP Rule 29) or, in the Alternative, a New Trial (FRCP Rule 33).
2. On October 15, 2018, Defendants Carlos Herrera, Joe Gallegos, Andrew Gallegos, Edward Troup and Anthony Ray Baca filed similar motions for judgment of acquittal and/or a new trial, which will also need to be responded to.
3. Per Court order filed on June 20, 2018, United States' responses are due on November 12, 2018.
4. Additional time is needed to complete the United States' responses to Carlos Herrera, Joe Gallegos, Edward Troup and Anthony Ray Baca's motions.
5. The United States, under D.N.M.LR-Cr. 47.1, sought the position of defense counsel for Defendants Carlos Herrera, Joe Gallegos, Edward Troup and Anthony Ray Baca, and they do not oppose this motion. Additionally, Counsel for co-defendants do not oppose this motion.¹

WHEREFORE, the United States respectfully requests that this Court grant the United States an extension of time in which to file its responses to Defendant Carlos Herrera's Motion for New Trial and Notice of Joinder (Doc. 2413), Defendants' Gallegos' Rule 29 Motion for Judgment of Acquittal or in the Alternative Motion for New Trial with Regard to Counts Four and Five (Doc. 2415), Defendant Joe Gallegos's Rule 29 Motion for Judgment of Acquittal or in the Alternative Motion for New Trial on Count 1 (Doc. 2419), Defendant Edward Troup's Motion for New Trial (Doc. 2420), and Defendant Anthony Ray Baca's Motion for New Trial and Notice of Joinder (Doc. 2421), until **November 30, 2018**.

¹ The United States sent an email asking all counsel to respond with opposition, or the United States would assume there was no opposition. Counsel either responded that they did or did not oppose this extension, or did not respond.

Respectfully submitted,

FRED FEDERICI
Attorney for the United States,
Acting Under Authority Conferred by
28 U.S.C. §515

Electronically Filed 11/5/2018

MARIA Y. ARMIJO
RANDY M. CASTELLANO
Assistant United States Attorneys
200 N. Church Street
Las Cruces, NM 88001
(575) 522-2304 - Tel.

I HEREBY CERTIFY that I electronically
filed the foregoing with the Clerk of the
Court using the CM/ECF system which
will send electronic notification to defense
counsel of record.

/s/

MARIA Y. ARMIJO
Assistant United States Attorney